

1           **\*-1213/1.37\* SECTION 2502.** 118.40 (3) (d) of the statutes is amended to read:

2           118.40 (3) (d) A school board or an entity under sub. (2r) (b) shall give  
3 preference in awarding contracts for the operation of charter schools to those charter  
4 schools that serve children at risk, ~~as defined in s. 118.153 (1) (a).~~

5           **\*-0851/3.17\* SECTION 2503.** 118.40 (7) (am) 2. of the statutes is amended to  
6 read:

7           118.40 (7) (am) 2. A charter school established under sub. (2r) or a private  
8 school located in the school district operating under ch. 119 that is converted to a  
9 charter school is not an instrumentality of any school district and no school board  
10 may employ any personnel for the charter school. If the chancellor of an institution  
11 within the University of Wisconsin-Parkside Wisconsin System contracts for the  
12 establishment of a charter school under sub. (2r), the board of regents of the  
13 University of Wisconsin System may employ instructional staff for the charter  
14 school.

15           **\*-0841/P2.4\* SECTION 2504.** 118.40 (8) (d) 2. of the statutes is amended to read:

16           118.40 (8) (d) 2. Ensure that its teachers are available to provide direct pupil  
17 instruction for at least the applicable number of hours specified in s. 121.02 (1) (f) 2.  
18 each school year. No more than 10 hours in any 24-hour period may count toward  
19 the requirement under this subdivision.

20           **\*-0855/3.1\* SECTION 2505.** 118.40 (8) (h) of the statutes is repealed.

21           **\*-1215/P2.1\* SECTION 2506.** 118.43 (2) (g) of the statutes is amended to read:

22           118.43 (2) (g) The department may renew an achievement guarantee contract  
23 under pars. (b), (bg), (br), and (bt) for one or more terms of 5 school years. Except as  
24 provided in sub. subs. (3g) (b) and (3m), as a condition of receiving payments under  
25 a renewal of an achievement guarantee contract, a school board shall maintain the

1 reduction of class size achieved during the last school year of the original  
2 achievement guarantee contract for the grades specified for the last school year of the  
3 contract.

4 **\*-1215/P2.2\* SECTION 2507.** 118.43 (3) (at) 3. of the statutes is amended to  
5 read:

6 118.43 (3) (at) 3. In Except as provided in sub. (3g) (b), in the 2012-13 to  
7 2014-15 school years, in at least grades kindergarten to 3.

8 **\*-1215/P2.3\* SECTION 2508.** 118.43 (3g) of the statutes is created to read:

9 118.43 (3g) ADJUSTMENT TO GRADES ELIGIBLE FOR FUNDING; RELEASE FROM CERTAIN  
10 CONTRACT OBLIGATIONS. (a) 1. Beginning in the 2011-12 school year, a school district  
11 operating under an achievement guarantee contract entered into under sub. (2) (bt)  
12 or renewed under sub. (2) (g) may receive state aid under sub. (6) only for low-income  
13 pupils enrolled in grades kindergarten to 2 in each school in the school district  
14 covered by the contract.

15 2. Beginning in the 2012-13 school year, a school district operating under an  
16 achievement guarantee contract entered into under sub. (2) (bt) or renewed under  
17 sub. (2) (g) may receive state aid under sub. (6) only for low-income pupils enrolled  
18 in grades kindergarten and one in each school in the school district covered by the  
19 contract.

20 (b) 1. Beginning in the 2011-12 school year, a school district operating under  
21 an achievement guarantee contract entered into under sub. (2) (bt) or renewed under  
22 sub. (2) (g) is released from the obligation to maintain the limitation on class size  
23 required under the contract and under sub. (3) (a), (am), (ar), and (at) for pupils  
24 enrolled in grade 3 in each school in the school district covered by the contract.

2. Beginning in the 2012-13 school year, a school district operating under an achievement guarantee contract entered into under sub. (2) (bt) or renewed under sub. (2) (g) is released from the obligation to maintain the limitation on class size required under the contract and under sub. (3) (a), (am), (ar), and (at) for pupils enrolled in grades 2 and 3 in each school in the school district covered by the contract.

**\*-1215/P2.4\* SECTION 2509.** 118.43 (3m) (b) of the statutes is amended to read:

118.43 (3m) (b) A school board operating under an achievement guarantee contract entered into under sub. (3) (at) (2) (bt) may combine 2 classes subject to the class size limitation in any school covered by the contract having at least 2 regular classroom teachers when the classes are combined if the combined class size is not greater than 30.

**\*-0855/3.2\* SECTION 2510.** 118.51 (3) (intro.) of the statutes is created to read:

118.51 (3) (intro.) Except as provided under sub. (3m), the following procedures govern pupil applications to attend a public school in a nonresident school district under this section:

**\*-0855/3.3\* SECTION 2511.** 118.51 (3) (a) 1. of the statutes is amended to read:

118.51 (3) (a) 1. The parent of a pupil who wishes to attend a public school in a nonresident school district under this section shall submit an application, on a form provided by the department under sub. (15) (a), to the school board of the nonresident school district that the pupil wishes to attend, not earlier than the first Monday in February and not later than the 3rd Friday following the first Monday in February last weekday in April of the school year immediately preceding the school year in which the pupil wishes to attend. Applications may be submitted to no more than 3 nonresident school boards in any school year. ~~On the 4th Monday in February, the~~ The nonresident school board shall send a copy of the application to the pupil's

1 resident school board and the department by the end of the first weekday following  
2 the last weekday in April. The application may include a request to attend a specific  
3 school or program offered by the nonresident school district.

4 **\*-0855/3.4\* SECTION 2512.** 118.51 (3) (a) 1m. of the statutes is created to read:

5 118.51 (3) (a) 1m. By the first Friday following the first Monday in May, the  
6 resident school board shall send to the nonresident school district a copy of the  
7 individualized education program developed under s. 115.787 (2) for a child with a  
8 disability whose parent submitted an application under subd. 1.

9 **\*-0855/3.5\* SECTION 2513.** 118.51 (3) (a) 2., 3. and 4. of the statutes are  
10 amended to read:

11 118.51 (3) (a) 2. A nonresident school board may not act on any application  
12 received under subd. 1. ~~until after the 3rd Friday following the first Monday in~~  
13 ~~February before May 1~~. If a nonresident school board receives more applications for  
14 a particular grade or program than there are spaces available in the grade or  
15 program, the nonresident school board shall determine which pupils to accept,  
16 including pupils accepted from a waiting list under sub. (5) (d), on a random basis,  
17 after giving preference to pupils and to siblings of pupils who are already attending  
18 the nonresident school district and, if the nonresident school district is a union high  
19 school district, to pupils who are attending an underlying elementary school district  
20 of the nonresident school district under this section. If a nonresident school board  
21 determines that space is not otherwise available for open enrollment pupils in the  
22 grade or program to which an individual has applied, the school board may  
23 nevertheless accept a pupil or the sibling of a pupil who is already attending the  
24 nonresident school district and, if the nonresident school district is a union high

1 school district, a pupil who is attending an underlying elementary school district of  
2 the nonresident school district under this section.

3 3. ~~On~~ Except as provided under sub. (5) (d) 1., on or before the first Friday  
4 following the first Monday in ~~April~~ June following receipt of the application, the  
5 nonresident school board shall notify the applicant, in writing, whether it has  
6 accepted the application. If the nonresident school board has accepted the applicant,  
7 the school board shall identify the specific school or program that the applicant may  
8 attend in the following school year. If the nonresident school board rejects an  
9 application, it shall include in the notice the reason for the rejection.

10 4. On or before the first 2nd Friday following the first Monday in ~~April~~ June  
11 following receipt of a copy of the application, if a resident school board denies a pupil's  
12 enrollment in a nonresident school district under sub. (6), (7) or (12) (b) 1., the  
13 resident school board shall notify the applicant and the nonresident school board, in  
14 writing, that the application has been denied and include in the notice the reason for  
15 the denial.

16 \*-0855/3.6\* SECTION 2514. 118.51 (3) (a) 5. of the statutes is repealed.

17 \*-0855/3.7\* SECTION 2515. 118.51 (3) (a) 6. of the statutes is amended to read:

18 118.51 (3) (a) 6. If Except as provided in sub. (5) (d) 2., if an application is  
19 accepted, on or before the first last Friday ~~following the first Monday~~ in June  
20 following receipt of a notice of acceptance, or within 10 days of receiving a notice of  
21 acceptance if a pupil is selected from a waiting list under ~~s. 118.40 (8) (h) 5.~~ sub. (5)  
22 (d), the pupil's parent shall notify the nonresident school board of the pupil's intent  
23 to attend school in that school district in the following school year.

24 \*-0855/3.8\* SECTION 2516. 118.51 (3) (a) 7. of the statutes is repealed.

25 \*-0855/3.9\* SECTION 2517. 118.51 (3) (b) of the statutes is amended to read:

1           118.51 (3) (b) *Notice to resident school district.* Annually by ~~June 30~~ July 7,  
2 each nonresident school board that has accepted a pupil under this section for  
3 attendance in the following school year shall report the name of the pupil to the  
4 pupil's resident school board. ~~If a pupil is selected from a waiting list under s. 118.40~~  
5 ~~(8) (h) 5., the nonresident school board shall report the name of the pupil to the pupil's~~  
6 ~~resident school board within 10 days of receiving notice of the pupil's selection from~~  
7 ~~the department.~~

8           **\*-0855/3.10\* SECTION 2518.** 118.51 (3m) of the statutes is created to read:

9           118.51 (3m)     ALTERNATIVE   APPLICATION   PROCEDURES   UNDER   CERTAIN  
10 CIRCUMSTANCES. (a) Notwithstanding sub. (3), the parent of a pupil who wishes to  
11 attend a public school in a nonresident school district under this section may, in lieu  
12 of applying under sub. (3), submit an application under this subsection, on a form  
13 provided by the department under sub. (15) (a), to the school board of the nonresident  
14 school district that the pupil wants to attend if the pupil satisfies at least one of the  
15 criteria under par. (b). Applications may be submitted to no more than 3 nonresident  
16 school boards in any school year.

17           (b) The parent of a pupil may apply under this subsection only if the pupil meets  
18 one of the following criteria, and shall describe the criteria that the pupil meets in  
19 the application:

20           1. The resident school board determines that the pupil has been the victim of  
21 a violent criminal offense, as defined by the department by rule. An application  
22 made on the basis of this criteria is not valid unless the nonresident school board  
23 receives the application within 30 days after the determination of the resident school  
24 board.

1           2. The pupil is or has been a homeless pupil in the current or immediately  
2 preceding school year. In this subdivision, "homeless pupil" means an individual who  
3 is included in the category of homeless children and youths, as defined in 42 USC  
4 11434a (2).

5           3. The pupil has been the victim of repeated bullying or harassment and all of  
6 the following apply:

7           a. The pupil's parent has reported the bullying or harassment to the resident  
8 school board.

9           b. Despite action taken under subd. 3. a., the repeated bullying and harassment  
10 continues.

11           4. The place of residence of the pupil's parent or guardian and of the pupil has  
12 changed as a result of military orders. An application made on the basis of this  
13 criteria is not valid unless the nonresident school board receives the application no  
14 later than 30 days after the date on which the military orders changing the place of  
15 residence were issued.

16           5. The pupil moved into this state. An application made on the basis of this  
17 criteria is not valid unless the nonresident school board receives the application no  
18 later than 30 days after moving into this state.

19           6. The place of residence of the pupil has changed as a result of a court order  
20 or custody agreement or because the pupil was placed in a foster home or with a  
21 person other than the pupil's parent, or removed from a foster home or from the home  
22 of a person other than the pupil's parent. An application made on the basis of this  
23 criteria is not valid unless the nonresident school board receives the application no  
24 later than 30 days after the pupil's change in residence.

1           7. The parent of the pupil and the nonresident school board agree that  
2 attending school in the nonresident school district is in the best interests of the pupil.

3           (c) If a nonresident school board receives an application under par. (a), the  
4 nonresident school board shall immediately forward a copy of the application to the  
5 resident school board, and shall notify the applicant, in writing, whether it has  
6 accepted the application no later than 20 days after receiving the application. If the  
7 nonresident school board has accepted the application, the nonresident school board  
8 shall identify the specific school or program that the pupil may attend.

9           (d) A resident school district may notify an applicant under par. (a) that the  
10 pupil may not attend a school or program in the nonresident school district only for  
11 the following reasons:

12           1. The resident school district determines that the criteria relied on by the  
13 applicant under par. (b) does not apply to the pupil.

14           2. a. Except as provided in subd. 2. b., the resident school district determines  
15 that the costs of the special education or related services required in the  
16 individualized education program under s. 115.787 (2) for a child with a disability  
17 whose parent has submitted an application under par. (a), as proposed to be  
18 implemented by the nonresident school district, would impose upon the child's  
19 resident school district an undue financial burden in light of the resident school  
20 district's total economic circumstances, including its revenue limit under subch. VII  
21 of ch. 121, its ability to pay tuition costs for the pupil, and the per pupil special  
22 education or related services costs for children with disabilities continuing to be  
23 served by the resident school district.

24           b. Subdivision 2. a. does not apply to a pupil who submits an application under  
25 par. (a) if the pupil relied upon the criteria set forth in par. (b) 1.



(e) If an application is accepted by the nonresident school board under par. (c), the pupil may immediately begin attending the school or program in the nonresident school district and shall begin attending the school or program no later than the 15th day following receipt by the parent of the pupil of the notice of acceptance under par. (c). If the pupil has not enrolled in or attended school in the nonresident school district by the day specified in this paragraph, the nonresident school district may notify the pupil's parent, in writing, that the pupil is no longer authorized to attend the school or program in the nonresident school district.

**\*-0855/3.11\* SECTION 2519.** 118.51 (5) (a) (intro.) of the statutes is amended to read:

118.51 (5) (a) *Permissible criteria.* (intro.) Except as provided in sub. (3) (a) 2., the criteria for accepting and rejecting applications from nonresident pupils under ~~sub.~~ subs. (3) (a) and (3m) (a) may include only the following:

**\*-0855/3.12\* SECTION 2520.** 118.51 (5) (a) 1. (intro.) of the statutes is amended to read:

118.51 (5) (a) 1. (intro.) The availability of space in the schools, programs, classes, or grades within the nonresident school district. The nonresident school board shall determine the number of regular education and special education spaces available within the school district in the January meeting of the school board, except that for the 2011-12 school year the board shall determine the number of regular education and special education spaces available within the school district in the February meeting of the school board. In determining the availability of space, the nonresident school board may consider criteria such as class size limits, pupil-teacher ratios, or enrollment projections established by the nonresident school board and may include in its count of occupied spaces all of the following:

1           **\*-0855/3.13\* SECTION 2521.** 118.51 (5) (a) 1. b. of the statutes is amended to  
2 read:

3           118.51 (5) (a) 1. b. Pupils and siblings of pupils who have applied under sub.  
4 (3) (a) or (3m) (a) and are already attending the nonresident school district.

5           **\*-0855/3.14\* SECTION 2522.** 118.51 (5) (a) 1. c. of the statutes is amended to  
6 read:

7           118.51 (5) (a) 1. c. If the nonresident school district is a union high school  
8 district, pupils who have applied under sub. (3) (a) or (3m) (a) and are currently  
9 attending an underlying elementary school district of the nonresident school district  
10 under this section.

11           **\*-0855/3.15\* SECTION 2523.** 118.51 (5) (d) of the statutes is renumbered 118.51  
12 (5) (d) 1. and amended to read:

13           118.51 (5) (d) 1. The school board of a nonresident school district may create  
14 a waiting list of pupils whose applications were rejected under sub. (3) (a) 3. The  
15 nonresident school board may accept pupils from a waiting list created under this  
16 paragraph until the 3rd Thursday in September but only if the pupil will be in  
17 attendance at the school or program in the nonresident school district on the 3rd  
18 Friday in September. Notwithstanding sub. (3) (a) 6., if a pupil is accepted from a  
19 waiting list created under this paragraph after the start of the school term, the  
20 parent shall immediately notify the resident school district of the pupil's intent to  
21 attend school in the nonresident school district for the current school term.

22           3. The department shall promulgate rules to implement and administer this  
23 paragraph.

24           **\*-0855/3.16\* SECTION 2524.** 118.51 (5) (d) 2. of the statutes is created to read:

1           118.51 (5) (d) 2. A pupil accepted from a waiting list created under this  
2 paragraph may attend the school or program in the nonresident school district even  
3 if the pupil has attended a school or program in the pupil's resident school district  
4 in the current school term, but not if the pupil has attended a school or program in  
5 a nonresident school district in the current school term.

6           **\*-0855/3.17\* SECTION 2525.** 118.51 (8) of the statutes is amended to read:

7           118.51 (8) DISCIPLINARY RECORDS. Notwithstanding s. 118.125, for an  
8 application submitted under sub. (3) (a), by the first Friday following the first  
9 Monday in May, and within 10 days of receiving a copy of an application under sub.  
10 (3m) (c), the resident school board shall provide to the nonresident school board to  
11 which a pupil has applied under this section, ~~upon request by that school board,~~ a  
12 copy of any expulsion findings and orders pertaining to the pupil, a copy of records  
13 of any pending disciplinary proceeding involving the pupil, a written explanation of  
14 the reasons for the expulsion or pending disciplinary proceeding and the length of  
15 the term of the expulsion or the possible outcomes of the pending disciplinary  
16 proceeding.

17           **\*-0855/3.18\* SECTION 2526.** 118.51 (9) of the statutes is amended to read:

18           118.51 (9) APPEAL OF REJECTION. If the nonresident school board rejects an  
19 application under sub. (3) (a) or (7), the resident school board prohibits a pupil from  
20 attending public school in a nonresident school district under sub. (3m) (d), (6), (7)  
21 or (12) (b) 1., or the nonresident school board prohibits a pupil from attending public  
22 school in the nonresident school district under sub. (11), the pupil's parent may  
23 appeal the decision to the department within 30 days after the decision. If the  
24 nonresident school board provides notice that the special education or related service  
25 is not available under sub. (12) (a), the pupil's parent may appeal the required

1 transfer to the department within 30 days after receipt of the notice. If the resident  
2 school board provides notice of transfer under sub. (12) (b) 2., the pupil's parent may  
3 appeal the required transfer to the department within 30 days after receipt of the  
4 notice. The department shall affirm the school board's decision unless the  
5 department finds that the decision was arbitrary or unreasonable.

6 **\*-0855/3.19\* SECTION 2527.** 118.51 (12) (am) of the statutes is created to read:

7 118.51 (12) (am) *Estimate of costs.* 1. The nonresident school district shall  
8 prepare an estimate of the costs to provide the special education or related services  
9 required in the individualized education program developed under s. 115.787 (2) for  
10 a child with a disability whose parent has submitted an application under this  
11 section. For an application submitted for a child with a disability under sub. (3) (a),  
12 the nonresident school district shall provide a copy of the estimate of costs to the  
13 resident school district by the 3rd Friday following the first Monday in May. For an  
14 application submitted for a child with a disability under sub. (3m) (a), the  
15 nonresident school district shall provide a copy of the estimate of costs to the resident  
16 school district within 10 days after receiving or developing the individualized  
17 education program for the applicant.

18 2. Except as provided in subd. 3., if the nonresident school district fails to  
19 comply with the requirement under this section by the date specified, the  
20 nonresident school district may not charge the resident school district for any actual,  
21 additional costs incurred by the nonresident school district to provide the special  
22 education and related services for the child with a disability.

23 3. Subdivision 2. does not apply if the resident school district fails to comply  
24 with the requirements under sub. (3) (a) 1m.

1           **\*-0855/3.20\* SECTION 2528.** 118.51 (12) (b) 1. of the statutes is amended to  
2 read:

3           118.51 (12) (b) 1. If the estimate of the costs of the special education or related  
4 services required in the individualized education program under s. 115.787 (2) for a  
5 child with a disability whose parent has submitted an application under sub. (3) (a),  
6 as proposed to be implemented by the nonresident school district and as provided to  
7 the resident school district as required under par. (am), would impose upon the  
8 child's resident school district an undue financial burden in light of the resident  
9 school district's total economic circumstances, including its revenue limit under  
10 subch. VII of ch. 121, its ability to pay tuition costs for the pupil, and the per pupil  
11 special education or related services costs for children with disabilities continuing  
12 to be served by the resident school district, the child's resident school board may  
13 notify the child's parent and the nonresident school board by the first 2nd Friday  
14 following the first Monday in April June that the pupil may not attend the  
15 nonresident school district to which the child has applied.

16           **\*-0855/3.21\* SECTION 2529.** 118.51 (15) (a) of the statutes is amended to read:

17           118.51 (15) (a) *Application form.* Prepare, distribute to school districts, and  
18 make available to parents an application form to be used by parents under sub. (3)  
19 (a) and an application form to be used by parents under sub. (3m) (a). The form shall  
20 include provisions that permit a parent to apply for transportation reimbursement  
21 under sub. (14) (b). The form shall require an applicant who is applying to attend  
22 a virtual charter school to indicate that he or she is applying to attend a virtual  
23 charter school, the number of virtual charter schools to which he or she is applying,  
24 and whether he or she is a sibling of a pupil currently enrolled in a virtual charter  
25 school through the open enrollment program.

1       **\*-0855/3.22\* SECTION 2530.** 118.51 (15) (c) of the statutes is renumbered  
2       118.51 (15) (c) (intro.) and amended to read:

3       118.51 (15) (c) *Annual report.* (intro.) Annually submit a report to the governor,  
4       and to the appropriate standing committees of the legislature under s. 13.172 (3), ~~on~~  
5       ~~the.~~ The report under this paragraph shall include all of the following information:

6       1. The number of pupils who applied to attend public school in a nonresident  
7       school district under this section, ~~the.~~

8       3. The number of applications denied and the bases for the denials, ~~and the.~~

9       4. The number of pupils attending public school in a nonresident school district  
10       under this section. The department shall specify, separately, the number of pupils  
11       attending public school in a nonresident school district whose applications were  
12       accepted under subs. (3) (a) 3. and (3m) (c), and, for the applications accepted under  
13       sub. (3m) (c), the number of pupils attending under each of the criteria listed in sub.  
14       (3m) (b).

15       **\*-0855/3.23\* SECTION 2531.** 118.51 (15) (c) 2. of the statutes is created to read:  
16       118.51 (15) (c) 2. The number of applications received under subs. (3) (a) and  
17       (3m) (a) and, for the applications received under sub. (3m) (a), the number of  
18       applications received under each of the criteria listed in sub. (3m) (b).

19       **\*-1187/P5.433\* SECTION 2532.** 118.55 (1) of the statutes is amended to read:  
20       118.55 (1) DEFINITION. In this section, "institution of higher education" means  
21       an institution within the University of Wisconsin System, the University of  
22       Wisconsin-Madison, a tribally controlled college or a private, nonprofit institution  
23       of higher education located in this state.

24       **\*-1187/P5.434\* SECTION 2533.** 118.55 (5) (a) of the statutes is amended to  
25       read:

1           118.55 (5) (a) If the pupil is attending an institution within the University of  
2    Wisconsin System or the University of Wisconsin-Madison, the actual cost of tuition,  
3    fees, books and other necessary materials directly related to the course.

4           **\*-1213/1.38\* SECTION 2534.** 118.55 (7r) (a) 4. of the statutes is amended to  
5    read:

6           118.55 (7r) (a) 4. The pupil is not a child at risk, ~~as defined in s. 118.153 (1) (a).~~

7           **\*-1213/1.39\* SECTION 2535.** 119.04 (1) of the statutes is amended to read:

8           119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
9    66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
10   115.345, ~~115.361~~, 115.365 (3), 115.38 (2), 115.445, ~~115.45~~, 118.001 to 118.04, 118.045,  
11   118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4),  
12   118.15, ~~118.153~~, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.225,  
13   118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.255, 118.258, 118.291, 118.30 to 118.43,  
14   118.46, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (27), 120.125, 120.13 (1), (2) (b)  
15   to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3),  
16   and 120.25 are applicable to a 1st class city school district and board.

17           **\*-1244/P1.1\* SECTION 2536.** 119.18 (6) (intro.) and (b) of the statutes are  
18    consolidated, renumbered 119.18 (6) and amended to read:

19           119.18 (6) SCHOOL CALENDAR. The board may determine the school calendar and  
20    vacation periods for each school year for the regular day schools, summer schools,  
21    social centers, and playgrounds, ~~except that: (b).~~ The board may close any school or  
22    dismiss any class in the event of an emergency, fire or other casualty, quarantine, or  
23    epidemic.

24           **\*-1244/P1.2\* SECTION 2537.** 119.18 (6) (a) of the statutes is repealed.

1           **\*-1345/P5.1\* SECTION 2538.** 119.23 (2) (a) (intro.) of the statutes is amended  
2 to read:

3           119.23 (2) (a) (intro.) ~~Subject to par. (b), any~~ Any pupil in grades kindergarten  
4 to 12 who resides within the city may attend, ~~at no charge,~~ any private school located  
5 in ~~the city~~ Milwaukee County if all of the following apply:

      \*\*\*NOTE: This is reconciled s. 119.23 (2) (a) (intro.). This SECTION has been affected  
by drafts with the following LRB numbers, none of which are included in the compiled  
bill: LRB-0837/P1 and LRB-0838/P1.

6           **\*-1345/P5.2\* SECTION 2539.** 119.23 (2) (a) 1. of the statutes is amended to read:

7           119.23 (2) (a) 1. The Except as provided in subd. 2., the pupil is a member of  
8 a family that has a total family income that does not exceed an amount equal to 1.75  
9 times the poverty level determined in accordance with criteria established by the  
10 director of the federal office of management and budget. A pupil attending a private  
11 school under this section whose family income increases may continue to attend a  
12 private school under this section if the pupil is a member of a family that has a total  
13 family income that does not exceed an amount equal to 2.2 times the poverty level  
14 determined in accordance with criteria established by the director of the federal  
15 office of management and budget. For purposes of admission to a private school  
16 under this section, siblings of pupils attending a private school under this section are  
17 subject to the higher income limit. If a pupil attending a private school under this  
18 section ceases to attend a private school under this section, the lower income limit  
19 applies unless the pupil is a sibling of a pupil attending a private school under this  
20 section.

21           **\*-1345/P5.3\* SECTION 2540.** 119.23 (2) (a) 2. of the statutes is created to read:



1           119.23 (2) (a) 2. Beginning in the 2011-12 school year, the pupil did not enroll  
2           in or attend a school participating in the program under this section at any time  
3           during the 2010-11 school year.

4           **\*-1345/P5.4\* SECTION 2541.** 119.23 (2) (b) of the statutes is repealed.

5           **\*-1345/P5.5\* SECTION 2542.** 119.23 (3) (a) of the statutes is amended to read:

6           119.23 (3) (a) The pupil or the pupil's parent or guardian shall submit an  
7           application, on a form provided by the state superintendent, to the participating  
8           private school that the pupil wishes to attend. Within 60 days after receiving the  
9           application, the private school shall notify the applicant, in writing, whether the  
10          application has been accepted. If the private school rejects an application, the notice  
11          shall include the reason. The private school shall indicate in its letter of acceptance  
12          the amount of the payment the parent or guardian of the pupil will receive under sub.  
13          (4) and, if applicable, sub. (4m). A private school may reject an applicant only if it  
14          has reached its maximum general capacity or seating capacity. The state  
15          superintendent shall ensure that the private school determines which pupils to  
16          accept on a random basis, except that the private school may give preference in  
17          accepting applications to siblings of pupils accepted on a random basis.

18          **\*-1345/P5.6\* SECTION 2543.** 119.23 (3m) of the statutes is created to read:

19          119.23 (3m) (a) For a pupil who applies to attend a private school participating  
20          in the program under this section under sub. (2) (a) 1., whose application is accepted  
21          under sub. (3) (a), and who is a member of a family that has a total family income that  
22          does not exceed an amount equal to 2.2 times the poverty level determined in  
23          accordance with criteria established by the director of the federal office of  
24          management and budget, the private school may not charge or receive any payment

1 for the pupil other than the payment the school receives under sub. (4) and, if  
2 applicable, sub. (4m).

3 (b) 1. Except as provided in subd. 2., for a pupil who applies to attend a private  
4 school participating in the program under this section under sub. (2) (a) 2. and whose  
5 application is accepted under sub. (3) (a), the private school may, in addition to the  
6 payment it receives for the pupil under sub. (4) and, if applicable, sub. (4m), charge  
7 the pupil tuition and fees in an amount determined by the school.

8 2. The private school may not charge or receive any additional payment for a  
9 pupil who applies to attend the private school under sub. (2) (a) 2. and whose  
10 application is accepted under sub. (3) (a) if the pupil is a member of a family that has  
11 a total family income that does not exceed an amount equal to 3.25 times the poverty  
12 level determined in accordance with criteria established by the director of the federal  
13 office of management and budget.

14 **\*-1481/P1.3\* SECTION 2544.** 119.23 (4) (bg) of the statutes is amended to read:  
15 119.23 (4) (bg) In the ~~2009-10~~ 2011-12 and ~~2010-11~~ 2012-13 school years,  
16 upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in  
17 the private school during a school term, the state superintendent shall pay to the  
18 parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal  
19 to the private school's operating and debt service cost per pupil that is related to  
20 educational programming, as determined by the department, or \$6,442, whichever  
21 is less.

22 **\*-1246/P1.1\* SECTION 2545.** 119.23 (5) of the statutes is renumbered 119.23  
23 (5) (b).

24 **\*-1246/P1.2\* SECTION 2546.** 119.23 (5) (a) of the statutes is created to read:

1           119.23 (5) (a) A private school participating in the program under this section  
2 shall immediately notify the department of a decision to cease educational  
3 programming operations.

4           **\*-1345/P5.7\* SECTION 2547.** 119.23 (7) (d) 1. of the statutes is renumbered  
5 119.23 (7) (d) 1. b. and amended to read:

6           119.23 (7) (d) 1. b. A copy of the school's current certificate of occupancy issued  
7 by the ~~city~~ municipality within which the school is located. If the private school  
8 moves to a new location, the private school shall submit a copy of the new certificate  
9 of occupancy issued by the ~~city~~ municipality within which the school is located to the  
10 department before the attendance of pupils at the new location and before the next  
11 succeeding date specified in s. 121.05 (1) (a). A temporary certificate of occupancy  
12 does not meet the requirement of this subdivision.

13           **\*-1345/P5.8\* SECTION 2548.** 119.23 (7) (d) 1. a. of the statutes is created to  
14 read:

15           119.23 (7) (d) 1. a. In this subdivision, "municipality" has the meaning given  
16 in s. 5.02 (11).

17           **\*-0839/P1.1\* SECTION 2549.** 119.23 (7) (e) 1. of the statutes is amended to read:

18           119.23 (7) (e) 1. ~~In the 2009-10 school year~~ Annually, each private school  
19 participating in the program under this section shall administer a nationally normed  
20 standardized test in reading, mathematics, and science to pupils attending the  
21 school under the program in the 4th, 8th, and 10th grades. ~~Beginning in the 2010-11~~  
22 ~~school year and annually thereafter, each private school participating in the program~~  
23 ~~under this section shall administer the examinations required under s. 118.30 (1s)~~  
24 ~~to pupils attending the school under the program.~~ The private school may administer  
25 additional standardized tests to such pupils. Beginning in 2006 and annually

thereafter until 2011, the private school shall provide the scores of all standardized tests and examinations that it administers under this subdivision to the School Choice Demonstration Project.

**\*-1183/P1.4\* SECTION 2550.** 119.23 (7) (g) of the statutes is repealed.

**\*-1246/P1.3\* SECTION 2551.** 119.23 (7m) of the statutes is created to read:

119.23 (7m) (a) Evidence of any of the following circumstances may indicate that a private school participating in the program under this section does not utilize sound fiscal practices, is not financially viable, or does not have the financial ability to continue educational programming operations:

1. The private school's budget and statement of cash flows reveal that the private school has inadequate revenues and other financial resources to fund current operations.

2. The audit opinion statement submitted by the private school as required under sub. (7) (am) 1. contains a qualification as to the private school's ability to continue as a going concern.

3. The private school failed to make a payment to a vendor for services provided to the private school or to an employee or other individual for expenses incurred on behalf of the private school within 90 days of receipt of invoice or payment request or as per written agreement, or has failed to make payments to an employee pursuant to a written document specifying compensation and dates for payment, as indicated in a written communication from the vendor, employee, or other individual.

4. The private school failed to make a filing with or withholding payment to the federal Internal Revenue Service, the Wisconsin department of revenue, or the Wisconsin department of workforce development as indicated in a written communication from one of these agencies.

1           5. An audit, required of the private school by a federal or state agency or local  
2 governmental unit and provided to the department of public instruction in  
3 compliance with reporting requirements promulgated by the department pursuant  
4 to sub. (11), contained questioned costs or findings related to compliance that may  
5 affect the private school's ability to continue.

6           6. The private school failed to refund to the department the amount of any  
7 overpayment made to the private school under sub. (4) (b) or (bg) or (4m), or the  
8 amount of any payment made to the private school for a pupil ineligible to attend the  
9 private school under this section.

10           (b) If the department determines that any of the circumstances under par. (a)  
11 applies to a private school, the private school shall, upon written request, provide to  
12 the department any information required by the department, including an audit of  
13 the private school's financial statements in accordance with generally accepted  
14 accounting principles, to permit the department to determine whether the private  
15 school is utilizing sound fiscal practices, is financially viable, or is financially able  
16 to continue educational programming operations.

17           **\*-1247/P1.1\* SECTION 2552.** 119.23 (11) of the statutes is renumbered 119.23  
18 (11) (intro.) and amended to read:

19           119.23 (11) The department shall ~~promulgate~~ do all of the following:

20           (a) Promulgate rules to implement and administer this section.

21           **\*-1247/P1.2\* SECTION 2553.** 119.23 (11) (b) of the statutes is created to read:

22           119.23 (11) (b) Notify each private school participating in the program under  
23 this section and the parents and guardians of each pupil attending a private school  
24 under this section of any proposed changes to the program or to administrative rules  
25 governing the program, including changes to application or filing deadlines but not

1 including changes to provisions governing health or safety, prior to the beginning of  
2 the school year in which the change takes effect.

3 **\*-1213/1.40\* SECTION 2554.** 119.245 of the statutes is repealed.

4 **\*-1465/P4.881\* \*-0808/2.350\* SECTION 2555.** 119.495 (2) of the statutes is  
5 amended to read:

6 119.495 (2) The board shall include in its budget transmitted to the common  
7 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing  
8 to be authorized in the budget for the ensuing year. The common council shall issue  
9 the notes and levy a direct annual irrepealable tax sufficient to pay the principal and  
10 interest on the notes as they become due. The common council may issue the notes  
11 by private sale. The common council shall make every effort to involve a minority  
12 investment firm certified under s. ~~560.036~~ 490.04 as managing underwriter of the  
13 notes or to engage a minority financial adviser certified under s. ~~560.036~~ 490.04 to  
14 advise the city regarding any public sale of the notes.

15 **\*-1465/P4.882\* \*-0808/2.351\* SECTION 2556.** 119.496 (2) of the statutes is  
16 amended to read:

17 119.496 (2) The board shall include in its budget transmitted to the common  
18 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing  
19 to be authorized in the budget for the ensuing year. The common council shall issue  
20 the notes and levy a direct annual irrepealable tax sufficient to pay the principal and  
21 interest on the notes as they become due. The common council may issue the notes  
22 by private sale. The common council shall establish goals of involving minority  
23 investment firms certified under s. ~~560.036~~ 490.04 as managing underwriters for at  
24 least 50% of the total amount financed by the notes and of engaging a minority

1 financial adviser certified under s. ~~560.036~~ 490.04 to advise the city regarding any  
2 public sale of the notes.

3 **\*-1243/P1.1\* SECTION 2557.** 120.12 (3) (a), (b) and (c) of the statutes are  
4 amended to read:

5 120.12 (3) (a) ~~On~~ Annually on or before November 1, determine the amount  
6 necessary to be raised to operate and maintain the schools of the school district and  
7 public library facilities operated by the school district under s. 43.52, if the annual  
8 meeting has not voted a tax sufficient for such purposes for the school year. ~~On~~  
9 Annually on or before November 6, or, in those years in which a November general  
10 election is held, the 7th calendar day after the day of the general election, the school  
11 district clerk shall certify the appropriate amount so determined to each appropriate  
12 municipal clerk who shall assess the amount certified and enter it on the tax rolls  
13 as other school district taxes are assessed and entered.

14 (b) If a tax sufficient to operate and maintain the schools of a school district for  
15 the ensuing school year has not been determined, certified and levied prior to the  
16 effective date of school district reorganization under ch. 117 affecting any territory  
17 of the school district, the school board of the affected school district shall determine,  
18 on or before the November 1 following the effective date of the reorganization, the  
19 amount of deficiency in operation and maintenance funds on the effective date of the  
20 reorganization which should have been paid by the property in the affected school  
21 district if the tax had been determined, certified and assessed prior to the effective  
22 date of the reorganization. On or before November 6, or, in those years in which a  
23 November general election is held, the 7th calendar day after the day of the general  
24 election, the school district clerk shall certify the appropriate amount to each  
25 appropriate municipal clerk who shall assess, enter and collect the amount as a

1 special tax on the property. This paragraph does not affect the apportionment of  
2 assets and liabilities under s. 66.0235.

3 (c) If on or before November 1 the school board determines that the annual  
4 meeting has voted a tax greater than that needed to operate the schools of the school  
5 district for the school year, the school board may lower the tax voted by the annual  
6 meeting. On or before November 6, or, in those years in which a November general  
7 election is held, the 7th calendar day after the day of the general election, the school  
8 district clerk shall certify the appropriate amount so determined to each appropriate  
9 municipal clerk who shall assess the amount certified to him or her and enter it on  
10 the tax rolls in lieu of the amount previously reported.

11 **\*-0841/P2.5\* SECTION 2558.** 120.12 (15) of the statutes is amended to read:

12 120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal  
13 school day. The school board may differentiate between the various elementary and  
14 high school grades in scheduling the school day. ~~The equivalent of 180 such days, as~~  
15 ~~defined in s. 115.01 (10), shall be held during the school term.~~ This subsection shall  
16 not be construed to eliminate a school district's duty to bargain with the employee's  
17 collective bargaining representative over any calendaring proposal which is  
18 primarily related to wages, hours, and conditions of employment.

19 **\*-0841/P2.14\* SECTION 2559.** 120.12 (27) (a) and (b) of the statutes are  
20 amended to read:

21 120.12 (27) (a) Within 24 hours of a school being closed for a reason specified  
22 in s. 115.01 (10) ~~(a) 2. or 3.~~ (b) or (c) or by the department of health services under  
23 s. 252.02 (3), notify the department. The notice shall include the reason for the  
24 closure.



(b) Within 24 hours of reopening a school that was closed for a reason specified in s. 115.01 (10) ~~(a) 2. or 3.~~ (b) or (c) or by the department of health services under s. 252.02 (3), notify the department that the school has reopened. In the notice, the school board shall include the number of days the school was closed.

**\*-1258/2.5\* SECTION 2560.** 120.13 (2) (g) of the statutes is amended to read:

120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.87 (4), (5), and (6), 632.885, 632.89, 632.895 (9) to ~~(17)~~ (16m), 632.896, and 767.513 (4).

**\*-1243/P1.2\* SECTION 2561.** 120.17 (8) (a) of the statutes is amended to read:

120.17 (8) (a) Annually on or before November 6, or, in those years in which a November general election is held, the 7th calendar day after the day of the general election, deliver to the clerk of each municipality having territory within the school district a certified statement showing that proportion of the amount of taxes voted and not before reported, and that proportion of the amount of tax to be collected in such year, if any, for the annual payment of any loan to be assessed on that part of the school district territory lying within the municipality. Such proportion shall be determined from the full values certified to the school district clerk under s. 121.06 (2).

**\*-0841/P2.6\* SECTION 2562.** 121.004 (7) (c) 1. b. of the statutes is amended to read:

121.004 (7) (c) 1. b. A pupil enrolled in a 5-year-old kindergarten program requiring full-day attendance for less than 5 days a week for an entire school year term shall be counted as the result obtained by multiplying the number of hours in each day in which the pupil is enrolled by the total number of days for which the pupil

1 is enrolled, and dividing the result by the ~~product of the~~ total number of hours of  
2 attendance ~~per day~~ required of first grade pupils in the school district ~~multiplied by~~  
3 180.

4 **\*-0841/P2.7\* SECTION 2563.** 121.004 (7) (cm) of the statutes is amended to  
5 read:

6 121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program,  
7 including a 4-year-old kindergarten program being phased in under s. 118.14 (3) (b),  
8 that provides the required number of hours of direct pupil instruction under s. 121.02  
9 (1) (f) 2. shall be counted as 0.6 pupil if the program annually provides at least 87.5  
10 additional hours of outreach activities.

11 **\*-0841/P2.8\* SECTION 2564.** 121.006 (2) (a) of the statutes is renumbered  
12 121.006 (2) (a) (intro.) and amended to read:

13 121.006 (2) (a) (intro.) Hold school for ~~at least 180 days each year~~ the minimum  
14 number of hours of direct pupil instruction required for the grade in which a pupil  
15 is enrolled as specified in s. 121.02 (1) (f), less any days of the following:

16 1. Hours during which the state superintendent determines that school is not  
17 held or educational standards are not maintained as the result of a strike by school  
18 district employees, ~~the days to be computed in accordance with s. 115.01 (10).~~

19 **\*-0841/P2.9\* SECTION 2565.** 121.006 (2) (a) 2. of the statutes is created to read:

20 121.006 (2) (a) 2. Hours during which school is closed by order of the school  
21 district administrator because of inclement weather and hours during which  
22 parent-teacher conferences are held, not to exceed 35 hours during the school term.

23 **\*-0841/P2.10\* SECTION 2566.** 121.006 (2) (a) 3. of the statutes is created to  
24 read:

1 121.006 (2) (a) 3. Hours during which school is closed by order of a local health  
2 officer, as defined in s. 250.01 (5), or the department of health services.

3 **\*-0841/P2.11\* SECTION 2567.** 121.006 (2) (a) 4. of the statutes is created to  
4 read:

5 121.006 (2) (a) 4. Hours during which school is closed by order of the school  
6 district administrator because of a threat to the health or safety of pupils or school  
7 personnel, but not including inclement weather, unless the school board determines  
8 that the hours will not count as hours of direct pupil instruction for purposes of s.  
9 121.02 (1) (f).

\*\*\*\*NOTE: As amended by this draft, s. 121.006 (2) (a) requires the school board to hold school for the minimum hours of direct pupil instruction required under s. 121.02 (1) (f), but allows to school board to reduce from the required hours of instruction certain hours during which school is not taught. For additional discussion of changes to s. 121.006 (2) (a), please see \*\*\*\*NOTE accompanying treatment of s. 115.01 (10).

10 **\*-1213/1.41\* SECTION 2568.** 121.007 of the statutes is amended to read:

11 **121.007 Use of state aid; exemption from execution.** All moneys paid to  
12 a school district under s. 20.255 (2) (ac), ~~(be)~~, (cg), and (cr), shall be used by the school  
13 district solely for the purposes for which paid. Such moneys are exempt from  
14 execution, attachment, garnishment, or other process in favor of creditors, except as  
15 to claims for salaries or wages of teachers and other school employees and as to  
16 claims for school materials, supplies, fuel, and current repairs.

17 **\*-1189/1.3\* SECTION 2569.** 121.02 (1) (a) 2. of the statutes is amended to read:

18 121.02 (1) (a) 2. Subject to s. 118.40 (2r) (d) 1. and (8) (b) 2., ensure that all  
19 instructional staff of charter schools located in the school district hold a license or  
20 permit to teach issued by the department. For purposes of this subdivision, a virtual  
21 charter school is located in the school district specified in s. 118.40 (8) (a) and a  
22 charter school established under s. 118.40 (3) (c) 1. c. is located in the school district

1 specified in s. 118.40 (3) (c) 1. c. The state superintendent shall promulgate rules  
2 defining "instructional staff" for purposes of this subdivision.

3 **\*-0841/P2.12\* SECTION 2570.** 121.02 (1) (f) 1. of the statutes is repealed.

4 **\*-0841/P2.13\* SECTION 2571.** 121.02 (1) (f) 2. of the statutes is renumbered  
5 121.02 (1) (f) and amended to read:

6 121.02 (1) (f) Annually, schedule at least 437 hours of direct pupil instruction  
7 in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and  
8 at least 1,137 hours of direct pupil instruction in grades 7 to 12. Scheduled hours  
9 under this ~~subdivision~~ paragraph include recess and time for pupils to transfer  
10 between classes but do not include the lunch period. Scheduled hours under this  
11 paragraph may include up to 35 hours on Saturdays. A school board operating a  
12 4-year-old kindergarten program may use up to 87.5 of the scheduled hours for  
13 outreach activities.

\*\*\*\*NOTE: The substantive changes to this paragraph are taken from 2009  
Assembly Bill 200. Note that the material related to scheduled hours on Saturdays is  
transferred from s. 115.01 (10) (b). Please see the \*\*\*\*NOTE accompanying treatment of  
s. 115.01 (10). Are you comfortable with these changes?

14 **\*-1213/1.42\* SECTION 2572.** 121.02 (1) (n) of the statutes is repealed.

15 **\*-0852/1.1\* SECTION 2573.** 121.08 (4) (a) 1. of the statutes is amended to read:

16 121.08 (4) (a) 1. ~~In the 2009-10 and 2010-11 school year, add~~ Add the amounts  
17 paid under s. 118.40 (2r) in the current school year, ~~and in the 2011-12 school year~~  
18 ~~and each school year thereafter, add the amounts paid under s. 118.40 (2r) in the~~  
19 ~~2010-11 school year.~~

20 **\*-0841/P2.15\* SECTION 2574.** 121.23 (2) (intro.) of the statutes is amended to  
21 read:

22 121.23 (2) (intro.) If a school district ~~holds less than 180 days of school~~ fails to  
23 provide the number of hours of direct pupil instruction specified under s. 121.02 (1)

(f) as the result of a strike by school district employees, for the purposes of computing general aid, the state superintendent shall compute the school district's primary and secondary ceiling costs per member in accordance with the procedure specified in pars. (a) to (e). In making the calculation, the state superintendent shall:

\*\*\*\*NOTE: Section 121.23 (2) governs the calculation of general aid for a school district that holds school for less than 180 days as a result of a strike by school district employees. I substituted hours of instruction for the 180 days requirement. Was that your intent?

**\*-1242/P1.1\* SECTION 2575.** 121.55 (3) (b) of the statutes is amended to read:

121.55 (3) (b) Except as provided in par. (c), if 2 or more pupils reside in the same household and attend the same private school, the contract under par. (a) may, at the discretion of the school board ~~of the school district operating under ch. 119,~~ provide for a total annual payment for all such pupils of not less than \$5 times the distance in miles between the pupils' residence and the private school they attend, or the school district's average cost per pupil for bus transportation in the previous year exclusive of transportation for kindergarten pupils during the noon hour and for pupils with disabilities, whichever is greater.

**\*-0836/P5.1\* SECTION 2576.** 121.905 (1) of the statutes is amended to read:

121.905 (1) In this section, "revenue ceiling" means ~~\$9,000 in the 2009-10 school year and in the 2010-11 school year and \$9,800~~ \$8,900 in the 2011-12 school year and in any subsequent school year.

**\*-0836/P5.2\* SECTION 2577.** 121.905 (3) (c) 3r. of the statutes is repealed.

**\*-0836/P5.3\* SECTION 2578.** 121.905 (3) (c) 4. of the statutes is repealed.

**\*-0836/P5.4\* SECTION 2579.** 121.91 (2m) (e) (intro.) of the statutes is amended to read:

1 121.91 (2m) (e) (intro.) Except as provided in subs. (3), and (4), ~~and~~ (8), no  
2 school district may increase its revenues for the 2008-09 school year to an amount  
3 that exceeds the amount calculated as follows:

4 **\*-0836/P5.5\* SECTION 2580.** 121.91 (2m) (f) (intro.) of the statutes is amended  
5 to read:

6 121.91 (2m) (f) (intro.) Except as provided in subs. (3), and (4), ~~and~~ (8), no school  
7 district may increase its revenues for the 2009-10 school year or for the 2010-11  
8 school year to an amount that exceeds the amount calculated as follows:

9 **\*-0836/P5.6\* SECTION 2581.** 121.91 (2m) (g) (intro.) of the statutes is amended  
10 to read:

11 121.91 (2m) (g) (intro.) Except as provided in subs. (3), and (4), ~~and~~ (8), no  
12 school district may increase its revenues for the 2011-12 school year to an amount  
13 that exceeds the amount calculated as follows:

14 **\*-0836/P5.7\* SECTION 2582.** 121.91 (2m) (g) 2. of the statutes is repealed.

15 **\*-0836/P5.8\* SECTION 2583.** 121.91 (2m) (g) 3. of the statutes is amended to  
16 read:

17 121.91 (2m) (g) 3. Multiply the result under subd. 2. 1 by the average of the  
18 number of pupils enrolled in the current and the 2 preceding school years.

19 **\*-0836/P5.9\* SECTION 2584.** 121.91 (2m) (g) 4. of the statutes is created to  
20 read:

21 121.91 (2m) (g) 4. Multiply the result under subd. 3. by 0.055.

22 **\*-0836/P5.10\* SECTION 2585.** 121.91 (2m) (g) 5. of the statutes is created to  
23 read:

24 121.91 (2m) (g) 5. Subtract the product under subd. 4. from the result under  
25 subd. 3.

1           **\*-0836/P5.11\* SECTION 2586.** 121.91 (2m) (h) (intro.) of the statutes is  
2 amended to read:

3           121.91 (2m) (h) (intro.) Except as provided in subs. (3), and (4), ~~and~~ (8), no  
4 school district may increase its revenues for the 2012-13 school year ~~or for any school~~  
5 ~~year thereafter~~ to an amount that exceeds the amount calculated as follows:

6           **\*-0836/P5.12\* SECTION 2587.** 121.91 (2m) (h) 2. of the statutes is repealed.

7           **\*-0836/P5.13\* SECTION 2588.** 121.91 (2m) (h) 3. of the statutes is repealed.

8           **\*-0836/P5.14\* SECTION 2589.** 121.91 (2m) (h) 4. of the statutes is amended to  
9 read:

10          121.91 (2m) (h) 4. Multiply the result under subd. ~~3.~~ 1. by the average of the  
11 number of pupils enrolled in the current and the 2 preceding school years.

12          **\*-0836/P5.15\* SECTION 2590.** 121.91 (2m) (r) 1. b. of the statutes is repealed.

13          **\*-0836/P5.16\* SECTION 2591.** 121.91 (2m) (r) 1. c. of the statutes is amended  
14 to read:

15          121.91 (2m) (r) 1. c. Multiply the result under subd. 1. ~~b.~~ a. by the number of  
16 pupils who in the previous school year were enrolled in a school district from which  
17 territory was detached to create the new school district and who resided in the  
18 detached territory, or by the number of pupils enrolled in the new school district in  
19 the current school year, whichever is greater.

20          **\*-0836/P5.17\* SECTION 2592.** 121.91 (2m) (r) 1. d. of the statutes is created to  
21 read:

22          121.91 (2m) (r) 1. d. In the 2011-12 school year, multiply the result under subd.  
23 1. c. by 0.055. In the 2012-13 school year, multiply the result under subd. 1. c. by 1.0.

24          **\*-0836/P5.18\* SECTION 2593.** 121.91 (2m) (r) 1. e. of the statutes is created to  
25 read:

121.91 (2m) (r) 1. e. Subtract the product of subd. 1. d. from the result under subd. 1. c.

**\*-0836/P5.19\* SECTION 2594.** 121.91 (2m) (s) 1. b. of the statutes is repealed.

**\*-0836/P5.20\* SECTION 2595.** 121.91 (2m) (s) 1. c. of the statutes is amended to read:

121.91 (2m) (s) 1. c. Multiply the result under subd. 1. ~~b.~~ a. by the number of pupils who in the previous school year were enrolled in the school district and who did not reside in the detached territory, or by the number of pupils enrolled in the school district in the current school year, whichever is greater.

**\*-0836/P5.21\* SECTION 2596.** 121.91 (2m) (s) 1. d. of the statutes is created to read:

121.91 (2m) (s) 1. d. In the 2011-12 school year, multiply the result under subd. 1. c. by 0.055. In the 2012-13 school year, multiply the result under subd. 1. c. by 1.0.

**\*-0836/P5.22\* SECTION 2597.** 121.91 (2m) (s) 1. e. of the statutes is created to read:

121.91 (2m) (s) 1. e. Subtract the product of subd. 1. d. from the result under subd. 1. c.

**\*-0836/P5.23\* SECTION 2598.** 121.91 (2m) (t) 1. (intro.) of the statutes is amended to read:

121.91 (2m) (t) 1. (intro.) If 2 or more school districts are consolidated under s. 117.08 or 117.09, except as follows, in the 2011-12 school year, the consolidated school district's revenue limit shall be determined as provided under par. (e) except as follows (g) and in the 2012-13 school year, the consolidated school district's revenue limit shall be determined as provided under par. (h):

**\*-0836/P5.24\* SECTION 2599.** 121.91 (4) (d) of the statutes is repealed.



1       **\*-0844/P2.1\* SECTION 2600.** 121.91 (4) (L) of the statutes is repealed.

2       **\*-0844/P2.2\* SECTION 2601.** 121.91 (4) (m) of the statutes is repealed.

3       **\*-0844/P2.3\* SECTION 2602.** 121.91 (4) (n) of the statutes is repealed.

4       **\*-0855/3.24\* SECTION 2603.** 121.91 (4) (p) of the statutes is created to read:

5       121.91 (4) (p) The limit otherwise applicable to a school district under sub. (2m)  
6       in any school year is increased by the amount of any reduction to that school district's  
7       state aid payment made under s. 118.51 (16) (b) 2. and (c) in the previous school year  
8       for a pupil who was not included in the calculation of the number of pupils enrolled  
9       in that school district in the previous school year.

10       **\*-0836/P5.25\* SECTION 2604.** 121.91 (7) of the statutes is amended to read:

11       121.91 (7) Except as provided in sub. (4) (f) 2. and (L) to (o) ~~and (8)~~, if an excess  
12       revenue is approved under sub. (3) for a recurring purpose or allowed under sub. (4),  
13       the excess revenue shall be included in the base for determining the limit for the next  
14       school year for purposes of this section. If an excess revenue is approved under sub.  
15       (3) for a nonrecurring purpose, the excess revenue shall not be included in the base  
16       for determining the limit for the next school year for purposes of this section.

      \*\*\*NOTE: This is reconciled s. 121.91 (7). This SECTION has been affected by the  
      following draft: LRB-0844/P1.

17       **\*-0836/P5.26\* SECTION 2605.** 121.91 (8) of the statutes is repealed.

18       **\*-1187/P5.435\* SECTION 2606.** 125.02 (3m) of the statutes is amended to read:

19       125.02 (3m) "Campus" has the meaning given under s. 36.05 (3) and s. 37.01  
20       (4).

21       **\*-0721/7.3\* SECTION 2607.** 132.001 (1m) of the statutes is created to read:

22       132.001 (1m) "Department" means the department of financial institutions.

23       **\*-0721/7.4\* SECTION 2608.** 132.01 (1) of the statutes is amended to read:

1           132.01 (1) Any person, firm, partnership, corporation, association, or union of  
2     workingmen, which has heretofore adopted or used or shall hereafter adopt or use  
3     any mark for the purpose of designating, making known, or distinguishing any  
4     goods, wares, merchandise, service, business, or other product of labor or  
5     manufacture as having been made, manufactured, produced, prepared, packed, or  
6     put on sale by such person, firm, partnership, corporation, association, or union of  
7     workingmen, or by a member or members thereof, he, she, or they, if residents of this  
8     or any other state of the United States, and such foreign corporations as may have  
9     been duly licensed to transact business in the state of Wisconsin, may file an original,  
10    a copy, or photographs, or cuts with specifications of the same for record ~~in the office~~  
11   ~~of the secretary of state~~ with the department, by leaving 2 such originals, copies,  
12    photographs, or cuts with specifications, the same being counterparts, facsimiles, or  
13    drawings thereof, with ~~said secretary~~ the department and by filing therewith a  
14    sworn statement, in such form as may be prescribed by the ~~secretary of state~~  
15   department, specifying the name of the person, firm, partnership, corporation,  
16    association, or union of workingmen, on whose behalf such mark is to be filed, the  
17    class of merchandise and a separate description of the goods to which the same has  
18    been or is intended to be appropriated, the residence, location, or place of business  
19    of such party, that the party, on whose behalf such mark is to be filed, has the right  
20    to the use of the same, and that no other person, or persons, firm, partnership,  
21    corporation, association, or union of workingmen has such right either in the  
22    identical form or in any such near resemblance thereto as may be calculated to  
23    deceive, and that the originals, copies, photographs, or cuts, counterparts,  
24    facsimiles, or drawings filed therewith are correct.

25           \*-0721/7.5\* SECTION 2609. 132.01 (3) of the statutes is amended to read:

1           132.01 (3) For an original or renewal registration, or the recording of an  
2 assignment, there shall be paid to the ~~secretary of state~~ department the fee of \$15.

3           **\*-0721/7.6\* SECTION 2610.** 132.01 (5) of the statutes is amended to read:

4           132.01 (5) The ~~secretary of state~~ department may not register any mark which  
5 consists of or comprises a replica or simulation of the flag, coat of arms, or insignia  
6 of the United States of America, or of any state or municipality or any foreign nation.

7           **\*-0721/7.7\* SECTION 2611.** 132.01 (6) of the statutes is amended to read:

8           132.01 (6) (a) A registration recorded or renewed under this section or s. 132.04  
9 or 132.11 before May 1, 1990, is effective for 20 years. A registration may be renewed  
10 on or after May 1, 1990, for 10-year periods upon application to the ~~secretary of state~~  
11 department and payment of the same fee required for a registration. Application for  
12 renewal shall be made within 6 months before the expiration of the 20-year  
13 registration period or 10-year renewal period specified in this paragraph.

14           (b) A registration recorded under this section or s. 132.04 or 132.11 on or after  
15 May 1, 1990, is effective for 10 years. A registration may be renewed for 10-year  
16 periods upon application to the ~~secretary of state~~ department and payment of the  
17 same fee required for a registration. Application for renewal shall be made within  
18 6 months before the expiration of the 10-year period specified in this paragraph.

19           **\*-0721/7.8\* SECTION 2612.** 132.01 (7) (intro.) of the statutes is amended to  
20 read:

21           132.01 (7) (intro.) The ~~secretary of state~~ department shall do all of the  
22 following:

23           **\*-0721/7.9\* SECTION 2613.** 132.01 (7) (b) of the statutes is amended to read:

1 132.01 (7) (b) Cancel from his or her register a registration of a mark under this  
2 section upon the request of the registrant of the mark. The ~~secretary of state~~  
3 department may not charge a fee for canceling a registration under this paragraph.

4 \*-0721/7.10\* SECTION 2614. 132.01 (8) of the statutes is amended to read:

5 132.01 (8) Any person, firm, partnership, corporation, association or union who  
6 claims a right to the use of subject matter conflicting with any registration by another  
7 may bring action against such other in the circuit court for the county in which such  
8 other resides, or in the circuit court for Dane County, and in any such action the right  
9 to the use and registration of such subject matter shall be determined as between the  
10 parties, and registration shall be granted or withheld or canceled by the ~~secretary~~  
11 of state department in accordance with the final judgment in any such action.  
12 Nonuser for a period of at least 2 years continuing to the date of commencement of  
13 any action in which abandonment is in issue shall be prima facie evidence of  
14 abandonment to the extent of such nonuser.

15 \*-0721/7.11\* SECTION 2615. 132.01 (9) of the statutes is amended to read:

16 132.01 (9) Title to any registration hereunder shall pass to any person, firm or  
17 corporation succeeding to the registrant's business to which such registration  
18 pertains. Written assignments of any such registration from a registrant to such a  
19 successor may be filed with and shall be recorded by the ~~secretary of state~~  
20 department upon payment of the fee specified in sub. (3). When such assignment is  
21 recorded, a new registration shall be entered in the name of the assignee, and on such  
22 registration and any subsequent certificates or registration of an assigned  
23 registration the ~~secretary of state~~ department shall show the previous ownership  
24 and dates of assignment thereof.

25 \*-0721/7.12\* SECTION 2616. 132.031 of the statutes is amended to read:

1           **132.031 Certificate; evidence.** The ~~secretary of state~~ department shall  
2 deliver to the person, corporation, association or union so filing or causing to be filed  
3 any such mark, or any assignment of such subject matter previously registered, or  
4 to any person, corporation, association or union renewing a registration, as many  
5 duly attested certificates of the registration or renewal of the same as may be desired.  
6 Any such certificate shall, in all suits and prosecutions arising out of or depending  
7 upon any rights claimed under such mark, be prima facie evidence of the adoption  
8 thereof and of the facts prerequisite to registrations thereof as required by s. 132.01.

9           **\*-0721/7.13\* SECTION 2617.** 132.04 (1) of the statutes is amended to read:

10           132.04 (1) Any person who is the owner of cans, tubs, firkins, boxes, bottles,  
11 casks, barrels, kegs, cartons, tanks, fountains, vessels or containers with his or her  
12 names, brands, designs, trademarks, devices or other marks of ownership stamped,  
13 impressed, labeled, blown in or otherwise marked thereon, may file with the  
14 ~~secretary of state~~ department and record with the register of deeds of any county in  
15 which the person has his or her principal place of business, a written statement or  
16 description verified by affidavit of the owner or his or her agent, of the names, brands,  
17 designs, trademarks, devices or other marks of ownership used by him or her, and  
18 of the articles upon which they are used, or if the principal place of business is outside  
19 the state, then a written statement or verified description may be recorded with the  
20 register of deeds of any county. The statement shall be published as a class 3 notice,  
21 under ch. 985, in the county, and a copy of the publication, proved as provided in s.  
22 985.12, shall also be filed with the ~~secretary of state~~ department and recorded with  
23 the register of deeds.

24           **\*-0721/7.14\* SECTION 2618.** 132.04 (2) of the statutes is amended to read:

1           132.04 (2) All such written statements or descriptions and all such certificates  
2 of publication so filed or recorded shall be subject at all reasonable hours to public  
3 inspection. The ~~secretary of state~~ department and the register of deeds shall deliver  
4 to all applicants certified copies of all such written statements or descriptions or  
5 names, brands, designs, trademarks, devices, or other marks of ownership and of all  
6 certificates of publication filed or recorded with them and such certified copies shall  
7 be admissible in evidence in all prosecutions under ss. 132.04 to 132.08, and shall be  
8 prima facie evidence that this section has been complied with, and of the title of the  
9 owner named therein to the property upon which the name, brand, design,  
10 trademark, device, or other marks of ownership of the owner appear as described  
11 therein.

12           **\*-0721/7.15\* SECTION 2619.** 132.04 (3) of the statutes is amended to read:

13           132.04 (3) The ~~secretary of state~~ department shall receive a fee of \$15 and the  
14 register of deeds shall receive the fee specified in s. 59.43 (2) (ag) or (e) for each  
15 statement and certificate of publication filed or recorded and shall also receive the  
16 fee specified in s. 59.43 (2) (b) for each certified copy of such statement and certificate  
17 of publication, to be paid for by the person filing, recording or applying for the same.

18           **\*-0721/7.16\* SECTION 2620.** 132.04 (4) of the statutes is amended to read:

19           132.04 (4) (a) The ~~secretary of state~~ department and register of deeds shall  
20 cancel a statement or description under this section upon the request of the person  
21 named in the records of the ~~secretary of state~~ department or register of deeds as the  
22 owner of marks of ownership described in the statement or description.

23           (b) The ~~secretary of state~~ department and register of deeds may not charge a  
24 fee for canceling a statement or description under par. (a).

1           **\*-0721/7.17\* SECTION 2621.** 132.11 (1) (intro.) of the statutes is amended to  
2 read:

3           132.11 (1) (intro.) The ~~secretary of state~~ department shall do all of the  
4 following:

5           **\*-0721/7.18\* SECTION 2622.** 132.11 (1) (c) of the statutes is amended to read:

6           132.11 (1) (c) Cancel the description of a name, brand or trademark recorded  
7 under par. (a) upon the request of the person, firm or corporation named in the  
8 records of the ~~secretary of state~~ department as the owner of the name, brand or  
9 trademark. The ~~secretary of state~~ department may not charge a fee for canceling a  
10 description under this paragraph.

11           **\*-0721/7.19\* SECTION 2623.** 132.16 (1m) of the statutes is amended to read:

12           132.16 (1m) Any organization may register, ~~in the office of the secretary of~~  
13 ~~state,~~ with the department a facsimile, duplicate, or description of any of the  
14 organization's identifying information and may, by reregistration, alter or cancel the  
15 organization's identifying information.

16           **\*-0721/7.20\* SECTION 2624.** 132.16 (2) of the statutes is amended to read:

17           132.16 (2) Application for registration or reregistration under sub. (1m) shall  
18 be made by the organization's chief officer or officers upon forms provided by the  
19 ~~secretary of state~~ department. The registration shall be for the use, benefit, and on  
20 behalf of the organization and the organization's current and future individual  
21 members throughout this state.

22           **\*-0721/7.21\* SECTION 2625.** 132.16 (3) of the statutes is amended to read:

23           132.16 (3) The ~~secretary of state~~ department shall keep a properly indexed file  
24 of all registrations under this section, which shall also show any alterations or  
25 cancelations by reregistration.

1           **\*-0721/7.22\* SECTION 2626.** 132.16 (5) of the statutes is amended to read:

2           132.16 (5) Upon granting registration under this section, the ~~secretary of state~~  
3           department shall issue ~~his or her~~ a certificate to the petitioners, setting forth the fact  
4           of the registration.

5           **\*-0721/7.23\* SECTION 2627.** 132.16 (6) of the statutes is amended to read:

6           132.16 (6) The fees of the ~~secretary of state~~ department for registration or  
7           reregistration under this section, searches made by the ~~secretary of state~~  
8           department, and certificates issued by the ~~secretary of state~~ department under this  
9           section, shall be the same as provided by law for similar services. The fees collected  
10          under this section shall be paid by the ~~secretary of state~~ department into the state  
11          treasury.

12          **\*-0721/7.24\* SECTION 2628.** 137.01 (1) (a) of the statutes is amended to read:

13          137.01 (1) (a) The governor shall appoint notaries public who shall be United  
14          States residents and at least 18 years of age. Applicants who are not attorneys shall  
15          file an application with the ~~secretary of state~~ department of financial institutions  
16          and pay a \$20 fee.

17          **\*-0721/7.25\* SECTION 2629.** 137.01 (1) (b) of the statutes is amended to read:

18          137.01 (1) (b) The secretary of state financial institutions shall satisfy himself  
19          or herself that the applicant has the equivalent of an 8th grade education, is familiar  
20          with the duties and responsibilities of a notary public and, subject to ss. 111.321,  
21          111.322 and 111.335, does not have an arrest or conviction record.

22          **\*-0721/7.26\* SECTION 2630.** 137.01 (1) (d) of the statutes is amended to read:

23          137.01 (1) (d) Qualified applicants shall be notified by the ~~secretary of state~~  
24          department of financial institutions to take and file the official oath and execute and



1 file an official bond in the sum of \$500, with a surety executed by a surety company  
2 and approved by the secretary of state financial institutions.

3 **\*-0721/7.27\* SECTION 2631.** 137.01 (1) (e) of the statutes is amended to read:

4 137.01 (1) (e) The qualified applicant shall file his or her signature, post-office  
5 address and an impression of his or her official seal, or imprint of his or her official  
6 rubber stamp with the ~~secretary of state~~ department of financial institutions.

7 **\*-0721/7.28\* SECTION 2632.** 137.01 (1) (g) of the statutes is amended to read:

8 137.01 (1) (g) At least 30 days before the expiration of a commission the  
9 ~~secretary of state~~ department of financial institutions shall mail notice of the  
10 expiration date to the holder of a commission.

11 **\*-0721/7.29\* SECTION 2633.** 137.01 (2) (a) of the statutes is amended to read:

12 137.01 (2) (a) Except as provided in par. (am), any United States resident who  
13 is licensed to practice law in this state is entitled to a permanent commission as a  
14 notary public upon application to the ~~secretary of state~~ department of financial  
15 institutions and payment of a \$50 fee. The application shall include a certificate of  
16 good standing from the supreme court, the signature and post-office address of the  
17 applicant and an impression of the applicant's official seal, or imprint of the  
18 applicant's official rubber stamp.

19 **\*-0721/7.30\* SECTION 2634.** 137.01 (2) (am) of the statutes is amended to read:

20 137.01 (2) (am) If a United States resident has his or her license to practice law  
21 in this state suspended or revoked, upon reinstatement of his or her license to  
22 practice law in this state, the person may be entitled to receive a certificate of  
23 appointment as a notary public for a term of 4 years. An eligible notary appointed  
24 under this paragraph is entitled to reappointment for 4-year increments. At least  
25 30 days before the expiration of a commission under this paragraph the ~~secretary of~~

1 ~~state department of financial institutions~~ shall mail notice of the expiration date to  
2 the holder of the commission.

3 **\*-0721/7.31\* SECTION 2635.** 137.01 (2) (b) of the statutes is amended to read:

4 137.01 (2) (b) The secretary of ~~state~~ financial institutions shall issue a  
5 certificate of appointment as a notary public to persons who qualify under the  
6 requirements of this subsection. The certificate shall state that the notary  
7 commission is permanent or is for 4 years.

8 **\*-0721/7.32\* SECTION 2636.** 137.01 (2) (c) of the statutes is amended to read:

9 137.01 (2) (c) The supreme court shall file with the ~~secretary of state~~  
10 department of financial institutions notice of the surrender, suspension or revocation  
11 of the license to practice law of any attorney who holds a permanent commission as  
12 a notary public. Such notice shall be deemed a revocation of said commission.

13 **\*-0721/7.33\* SECTION 2637.** 137.01 (6) (a) of the statutes is amended to read:

14 137.01 (6) (a) The secretary of ~~state~~ financial institutions may certify to the  
15 official qualifications of any notary public and to the genuineness of the notary  
16 public's signature and seal or rubber stamp.

17 **\*-0721/7.34\* SECTION 2638.** 137.01 (6m) of the statutes is amended to read:

18 137.01 (6m) CHANGE OF RESIDENCE. A notary public does not vacate his or her  
19 office by reason of his or her change of residence within the United States. Written  
20 notice of any change of address shall be given to the ~~secretary of state~~ department  
21 of financial institutions within 10 days of the change.

22 **\*-0721/7.35\* SECTION 2639.** 137.01 (7) of the statutes is amended to read:

23 137.01 (7) OFFICIAL RECORDS TO BE FILED. When any notary public ceases to hold  
24 office, the notary public, or in case of the notary public's death the notary public's  
25 personal representative, shall deposit the notary public's official records and papers

1 ~~in the office of the secretary of state~~ with the department of financial institutions.

2 If the notary or personal representative, after the records and papers come to his or  
3 her hands, neglects for 3 months to deposit them, he or she shall forfeit not less than  
4 \$50 nor more than \$500. If any person knowingly destroys, defaces, or conceals any  
5 records or papers of any notary public, the person shall forfeit not less than \$50 nor  
6 more than \$500, and shall be liable for all damages resulting to the party injured.

7 The ~~secretary of state~~ department of financial institutions shall receive and safely  
8 keep all such papers and records.

9 **\*-1465/P4.883\* \*-0808/2.352\* SECTION 2640.** 145.01 (4) of the statutes is  
10 amended to read:

11 145.01 (4) DEPARTMENT. "Department" means the department of ~~commerce~~  
12 safety and professional services.

13 **\*-1465/P4.884\* \*-0808/2.353\* SECTION 2641.** 145.02 (4) (a) of the statutes is  
14 amended to read:

15 145.02 (4) (a) The department shall prescribe rules as to the qualifications,  
16 examination and licensing of master and journeyman plumbers and restricted  
17 plumber licensees, for the licensing of utility contractors, for the registration of  
18 plumbing apprentices and pipe layers and for the registration and training of  
19 registered learners. The plumbers council, created under s. ~~15.157 (6)~~ 15.407 (16),  
20 shall advise the department in formulating the rules.

21 **\*-1465/P4.885\* \*-0808/2.354\* SECTION 2642.** 145.17 (2) of the statutes is  
22 amended to read:

23 145.17 (2) The department shall prescribe rules as to the qualifications,  
24 examination and licensing of journeymen automatic fire sprinkler system fitters and  
25 automatic fire sprinkler contractors and for the registration and training of

1 automatic fire sprinkler system apprentices. The automatic fire sprinkler system  
2 contractors and journeymen council, created under s. 15.157 (9) 15.407 (17), shall  
3 advise the department in formulating the rules.

4 **\*-1465/P4.886\* \*-0808/2.355\* SECTION 2643.** 145.20 (5) (c) of the statutes is  
5 amended to read:

6 145.20 (5) (c) The department of natural resources may suspend or revoke a  
7 license issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the  
8 operator of a septage servicing vehicle if the department of natural resources finds  
9 that the licensee or operator falsified information on inspection forms. The  
10 department of ~~commerce~~ safety and professional services may suspend or revoke the  
11 license of a plumber licensed under this chapter if the department finds that the  
12 plumber falsified information on inspection forms.

13 **\*-1465/P4.887\* \*-0808/2.356\* SECTION 2644.** 145.245 (12m) (e) of the  
14 statutes is amended to read:

15 145.245 (12m) (e) The department of ~~commerce~~ safety and professional  
16 services and the department of administration may enter into a financial assistance  
17 agreement with a governmental unit that applies for a loan under this subsection  
18 and meets the eligibility requirements for a loan, including the requirements under  
19 par. (d).

20 **\*-1465/P4.888\* \*-0808/2.357\* SECTION 2645.** 145.245 (12m) (f) of the statutes  
21 is amended to read:

22 145.245 (12m) (f) The department of administration, in consultation with the  
23 department of ~~commerce~~ safety and professional services, may establish those terms  
24 and conditions of a financial assistance agreement that relate to its financial  
25 management, including what type of municipal obligation is required for the

1 repayment of the financial assistance. In setting the terms and conditions, the  
2 department of administration may consider factors that the department of  
3 administration finds are relevant, including the type of obligation evidencing the  
4 loan, the pledge of security for the obligation and the applicant's creditworthiness.

5 **\*-1465/P4.889\* \*-0808/2.358\* SECTION 2646.** 145.245 (12m) (g) of the  
6 statutes is amended to read:

7 145.245 (12m) (g) The department of administration shall make and disburse  
8 a loan to an applicant that has entered into a financial assistance agreement under  
9 par. (e). The department of administration, in consultation with the department of  
10 ~~commerce~~ safety and professional services, shall establish procedures for disbursing  
11 loans.

12 **\*-1465/P4.890\* \*-0808/2.359\* SECTION 2647.** 145.245 (12m) (h) of the  
13 statutes is amended to read:

14 145.245 (12m) (h) If a governmental unit fails to make a principal repayment  
15 after its due date, the department of administration shall place on file a certified  
16 statement of all amounts due under this subsection. After consulting the  
17 department of ~~commerce~~ safety and professional services, the department of  
18 administration may collect all amounts due by deducting those amounts from any  
19 state payments due the governmental unit or may add a special charge to the amount  
20 of taxes apportioned to and levied upon the county under s. 70.60. If the department  
21 of administration collects amounts due, it shall remit those amounts to the fund to  
22 which they are due and notify the department of ~~commerce~~ safety and professional  
23 services of that action.

24 **\*-1465/P4.891\* \*-0808/2.360\* SECTION 2648.** 146.085 (3) of the statutes is  
25 amended to read:

1           146.085 (3) ENFORCEMENT. The department, the department of ~~commerce~~  
2       safety and professional services, and the public service commission shall enforce this  
3       section within their respective jurisdictions.

4           **\*-1465/P4.892\* \*-0808/2.361\* SECTION 2649.** 146.40 (4r) (em) of the statutes  
5       is amended to read:

6           146.40 (4r) (em) If the department receives a report under par. (a) or (am) and  
7       determines that an individual who is the subject of the report holds a credential that  
8       is related to the individual's employment at, or contract with, the entity, the  
9       department shall refer the report to the department of ~~regulation and licensing~~  
10      safety and professional services.

11          **\*-1187/P5.436\* SECTION 2650.** 146.59 (2) (b) of the statutes is amended to  
12      read:

13          146.59 (2) (b) If a contractual services agreement is terminated under s. 233.04  
14      (4m) (b), the University of Wisconsin Hospitals and Clinics Board may negotiate and  
15      enter into a contractual services agreement with the University of Wisconsin  
16      Hospitals and Clinics Authority or the ~~board of regents~~ Board of Trustees of the  
17      University of Wisconsin ~~System~~ Wisconsin-Madison under s. 233.04 (4m) (b).

18          **\*-1310/1.1\* SECTION 2651.** 146.83 (1c) (a) of the statutes is created to read:

19          146.83 (1c) (a) Inspect the health care records of a health care provider  
20      pertaining to that patient at any time during regular business hours, upon  
21      reasonable notice.

22          **\*-1310/1.2\* SECTION 2652.** 146.83 (1c) (b) of the statutes is created to read:

23          146.83 (1c) (b) Receive a copy of the patient's health care records upon payment  
24      of fees, as established by rule under sub. (3f).

25          **\*-1310/1.3\* SECTION 2653.** 146.83 (1c) (c) of the statutes is created to read:

1           146.83 (1c) (c) Receive a copy of the health care provider's X-ray reports or  
2           have the X-rays referred to another health care provider of the patient's choice upon  
3           payment of fees, as established by rule under sub. (3f).

4           **\*-1310/1.4\* SECTION 2654.** 146.83 (1d) of the statutes is renumbered 146.83  
5           (1c) (intro.) and amended to read:

6           146.83 (1c) (intro.) Except as provided in s. 51.30 or 146.82 (2), any patient or  
7           person authorized by the patient may, upon submitting a statement of informed  
8           consent, ~~inspect the health care records of a health care provider pertaining to that~~  
9           ~~patient. Except as provided in sub. (1g), the health care provider shall make the~~  
10          ~~records available for inspection by the patient or person authorized by the patient~~  
11          ~~during regular business hours, after the health care provider receives notice from the~~  
12          ~~patient or person authorized by the patient. A health care provider may not charge~~  
13          ~~a fee for inspection under this subsection.;~~

14          **\*-1310/1.5\* SECTION 2655.** 146.83 (1f) (a) of the statutes is repealed.

15          **\*-1310/1.6\* SECTION 2656.** 146.83 (1f) (b) of the statutes is repealed.

16          **\*-1310/1.7\* SECTION 2657.** 146.83 (1f) (c) of the statutes is repealed.

17          **\*-1310/1.8\* SECTION 2658.** 146.83 (1f) (d) 1. of the statutes is renumbered  
18          146.83 (1f) (am) and amended to read:

19          146.83 (1f) (am) If a patient or person authorized by the patient requests copies  
20          of the patient's health care records under this ~~subsection~~ section for use in appealing  
21          a denial of social security disability insurance, under 42 USC 401 to 433, or  
22          supplemental security income, under 42 USC 1381 to 1385, the health care provider  
23          may charge the patient or person authorized by the patient no more than the amount  
24          that the federal social security administration reimburses the department for copies  
25          of patient health care records.

1           **\*-1310/1.9\* SECTION 2659.** 146.83 (1f) (d) 2. of the statutes is renumbered  
2 146.83 (1f) (bm) and amended to read:

3           146.83 **(1f)** (bm) Except as provided in sub. (1g), a health care provider may not  
4 charge a fee for providing one set of copies of a patient's health care records under  
5 this ~~subsection~~ section if the patient is eligible for medical assistance, as defined in  
6 s. 49.43 (8). A health care provider may require that a patient or person authorized  
7 by the patient provide proof that the patient is eligible for medical assistance before  
8 providing copies under this subdivision without charge. A health care provider may  
9 charge the fees ~~under par. (c)~~ established by rule under sub. (1c) for providing a 2nd  
10 or additional set of copies of patient health care records for a patient who is eligible  
11 for medical assistance.

12           **\*-1310/1.10\* SECTION 2660.** 146.83 (1g) of the statutes is amended to read:  
13 146.83 **(1g)** The time limit for making records available for inspection and for  
14 providing copies of records under sub. (1d), ~~the time limits for providing copies of~~  
15 ~~records under sub. (1f) (a) and (b), (1c) and the requirement under sub. (1f) (d) 2. (bm)~~  
16 to provide one set of copies of records without charge if the patient is eligible for  
17 medical assistance do not apply if the health care provider is the department or the  
18 department of corrections.

19           **\*-1310/1.11\* SECTION 2661.** 146.83 (1h) of the statutes is repealed.

20           **\*-1310/1.12\* SECTION 2662.** 146.83 (1k) of the statutes is repealed.

21           **\*-1310/1.13\* SECTION 2663.** 146.83 (1m) of the statutes is renumbered 146.83  
22 (1m) (a).

23           **\*-1310/1.14\* SECTION 2664.** 146.83 (1m) (b) of the statutes is created to read:  
24 146.83 **(1m)** (b) The health care provider under par. (a) may be charged  
25 reasonable costs for the provision of the patient's health care records.



1           **\*-1310/1.15\* SECTION 2665.** 146.83 (3f) of the statutes is created to read:

2           146.83 (3f) (a) The department shall, by rule, prescribe fees that are based on  
3           an approximation of actual costs. The fees, plus applicable tax, are the maximum  
4           amount that a health care provider may charge under sub. (1c) (b) for duplicate  
5           patient health care records and under sub. (1c) (c) for duplicate X-ray reports or the  
6           referral of X-rays to another health care provider of the patient's choice. The rule  
7           shall also permit the health care provider to charge for actual postage or other actual  
8           delivery costs. In determining the approximation of actual costs for the purposes of  
9           this subsection, the department may consider all of the following factors:

10           1. Operating expenses, such as wages, rent, utilities, and duplication  
11           equipment and supplies.

12           2. The varying cost of retrieval of records, based on the different media on which  
13           the records are maintained.

14           3. The cost of separating requested patient health care records from those that  
15           are not requested.

16           4. The cost of duplicating requested patient health care records.

17           5. The impact on costs of advances in technology.

18           (b) By July 1, 2014, and every 3 years thereafter, the department shall revise  
19           the rules under par. (a) to account for increases or decreases in actual costs.

20           **\*-1310/1.16\* SECTION 2666.** 146.84 (2) (a) 1. of the statutes is amended to read:

21           146.84 (2) (a) 1. Requests or obtains confidential information under s. 146.82  
22           or 146.83 ~~(1d), (1f), or (1h)~~ (1c) under false pretenses.

23           **\*-1262/2.30\* SECTION 2667.** 150.31 (5m) of the statutes is amended to read:

24           150.31 (5m) The department shall decrease the statewide bed limit specified  
25           in sub. (1) to account for any reduction in the approved bed capacity of a skilled

1 nursing facility operated by the department of veterans affairs under s. 45.50 (1), as  
2 specified in s. 45.50 (10).

3 **\*-1465/P4.893\* \*-0808/2.362\* SECTION 2668.** 150.84 (3) of the statutes is  
4 amended to read:

5 150.84 (3) "Health care provider" means any person licensed, registered,  
6 permitted or certified by the department or by the department of ~~regulation and~~  
7 ~~licensing safety and professional services~~ to provide health care services in this state.

8 **\*-1465/P4.894\* \*-0808/2.363\* SECTION 2669.** 153.60 (1) of the statutes is  
9 amended to read:

10 153.60 (1) The department shall, by the first October 1 after the  
11 commencement of each fiscal year, estimate the total amount of expenditures under  
12 this subchapter for the department for that fiscal year for data collection, database  
13 development and maintenance, generation of data files and standard reports,  
14 orientation and training provided under s. 153.05 (9) (a) and contracting with the  
15 data organization under s. 153.05 (2r). The department shall assess the estimated  
16 total amount for that fiscal year, less the estimated total amount to be received for  
17 purposes of administration of this subchapter under s. 20.435 (1) (hi) during the  
18 fiscal year and the unencumbered balance of the amount received for purposes of  
19 administration of this subchapter under s. 20.435 (1) (hi) from the prior fiscal year,  
20 to health care providers, other than hospitals and ambulatory surgery centers, who  
21 are in a class of health care providers from whom the department collects data under  
22 this subchapter in a manner specified by the department by rule. The department  
23 shall work together with the department of ~~regulation and licensing safety and~~  
24 ~~professional services~~ to develop a mechanism for collecting assessments from health  
25 care providers other than hospitals and ambulatory surgery centers. No health care